

SC NAACP v. Alexander,
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

Exhibit 4

Michael A. Parente
Associate

July 7, 2022

DELIVERED VIA EMAIL

All Counsel of Record

*Re: S.C. State Conf. of the NAACP and Taiwan Scott v. Alexander, et al.,
Docket No. 3:21-cv-03302-MBS-TJH-RMG (D.S.C.)
House Defendants' Clawback Notice*

Dear Counsel:

We write on behalf of House Defendants to notify you that we recently learned that a specific document, **SC_HOUSE_0110878**, was inadvertently produced. The document, which contains two text messages, was incorrectly produced for two reasons. First, as I am sure you noted, the document is from outside the relevant time period as it is dated February 12, 2022—well after the passage of the House and Congressional plans and while we were engaged in this litigation. Second, and more importantly, it contains an initial, substantive message sent by Patrick Dennis—General Counsel to the House—to Speaker Lucas, Chairman Murphy, Chairman Jordan (all named defendants in this action) and Representatives Newton and Elliot (both of whom are represented non-parties) discussing discovery issues in the instant litigation. Mr. Dennis' email conveys strategic decisions of outside counsel to his clients, and, therefore, the message is covered by the attorney-client privilege and/or work-product doctrine. It was produced in error and should not have been provided to you.

Pursuant to Federal Rule of Evidence 502(b) and Federal Rule of Civil Procedure 26(b)(5)(B), House Defendants are notifying you of this inadvertent disclosure and are seeking the return, sequester, or destruction of the document and any copies you have. In accordance with Rule 26(b)(5)(B), House Defendants assert that you must not use or disclose the information until this issue is resolved and that you must take reasonable steps to retrieve the information if you have disclosed it before receiving this notification.

Please let us know if you have any questions or concerns regarding this clawback notice.

Sincerely,



Michael A. Parente